

Contents

16	Central Absentee Precinct (CAP).....	1
16.1	Reasons for Establishing the CAP.....	2
16.2	Use in Town Elections.....	2
16.3	Location of the CAP (24.2-712).....	3
16.4	How to Establish a CAP (24.2-712).....	3
16.5	Staffing the CAP and Hours to be Observed (24.2-712).....	4
16.6	Training Officers of Election.....	5
16.7	Officers to Vote Absentee	5
16.8	CAP Polling Place Arrangement	5
16.9	Use of Voting Equipment for In-Person Absentee Voting.....	6
16.9.1	Before Election Day.....	8
16.9.2	Processing Permitted on Election Day.....	8
16.10	Opening the CAP.....	9
16.10.1	Ballot Delivery on Election Day.....	9
16.10.2	Election Day Set Up.....	9
16.10.3	Teams for Processing Ballots.....	9
16.11	During the Day	11
16.12	Closing the Polls at CAP	13
16.12.1	Closing Procedures.....	13
16.12.2	Hand Count Ballots.....	13
16.12.3	Pollbook Count Forms.....	13
16.12.4	Provisional Ballots.....	13
16.12.5	Ascertain Equipment Results.....	14
16.12.6	Statement of Results (SOR).....	14
16.12.7	Packing Envelopes and Boxes.....	14
16.13	Addendum 1 - Planning Before Election Day Checklist.....	16
16.14	Addendum 2 - Accepting or Rejecting Ballots	17
16.15	Addendum 3 – Hand Counting Ballots.....	19
16.16	Addendum 4 – Alternative Procedures for Preparing AB Ballots.....	21

16 What is a CAP?

Section [24.2-101](#) of the *Code of Virginia* defines CAP as the Central Absentee Voter Precinct established by a county or city pursuant to [24.2-712](#) for processing absentee ballots for the county or city or any combination of precincts within the county or city.


- The CAP counts and reports the results for all absentee voting in the locality for in-person and by-mail ballots.
- No absentee ballots are counted at the precincts.
- Counting and reporting is done by ballot combination instead of counting and reporting by precinct.

16.1 Reasons for Establishing the CAP

Section [24.2-712](#) provides that central absentee precincts may be established for a county or city upon the enactment of an ordinance by the local governing body of a county or city. The following procedures are provided as guidelines for Electoral Boards in establishing and operating a CAP.

A CAP is normally established for one or more of the following reasons:

- The number of absentee ballots is usually so great that processing them seriously delays the completion of required work at polling places and the reporting of results.
- The distance traveled in distributing ballots to polling places is so great or the terrain so difficult that ballots received on Election Day cannot be delivered before the polls close.
- The security of the ballots is improved when transporting them to only one nearby location for handling only by Officers of Election working at that central location.
- The secrecy of the ballot of the voter, who is the only absentee voter in his precinct, is preserved because his ballot is cast and counted with the ballots of all others in the county or city who are voting like ballot types.
- A CAP facilitates providing in-person absentee voters with the opportunity to cast their ballot in a private and independent manner on accessible voting equipment.
 - Accessible equipment must be used in all elections. Localities that do not have a CAP must still provide in-person absentee voters who are disabled with the opportunity to vote privately and independently.

 **Cost reduction is never a reason**, as the establishment of a CAP will usually increase the cost of an election. Electoral Board members should travel the county or city on each Election Day to monitor the performance of Officers of Election at all polling places. Therefore, the only possible cost savings might be mileage incurred for extra trips to deliver late-received ballots; this saving normally would be more than offset by the cost for additional CAP Officers.

16.2 Use in Town Elections

Section [24.2-712](#) only empowers the governing body of each county or city to establish a CAP for counting absentee ballots cast in the county or city. This section was amended during the recodification of election laws in 1993 to specifically remove the power of a town to establish a CAP. The County ordinance, therefore, must designate whether the CAP will be used in town elections.

16.3 Location of the CAP (24.2-712)

The CAP only exists on Election Day. Prior to that time, in-person and by-mail absentee voting are conducted in the office of the General Registrar. However, on Election Day, the room in which the CAP will be located may not be in the immediate office of the General Registrar. It should, however, be located as close to that office as possible. It must also meet certain other requirements:

- The room must be used for no other purpose on Election Day.
- It must be large enough to permit the proper organization of the required work and to hear the appeal of any absentee voter who may appear on Election Day.
- It must be equipped, on Election Day, with sufficient furniture (i.e. tables and chairs) for assigned Officers of Election and for organizing the precinct lists of Absentee Ballot Applicants and the ballots and accompanying material for each precinct.
- It must also contain one or more ballot containers.
- It must have barrier-free access for citizens with disabilities (the CAP must meet the same accessibility standards as any other polling place).
- The CAP may be co-located with a regular polling place if there is sufficient space, and the two polling places have "a separate room or separate and defined space" as required by [§24.2-306](#).
 - If co-located in the same room, the CAP Officers may, on the request of the Chief Officer of the polling place, (and with the consent of the CAP Chief Officer of the regular polling place), assist the Officers with such tasks as crowd control, but they may not handle ballots, operate machines, or perform any other tasks specifically related to the conduct of the election in that precinct.
 - CAP Officers must still fulfill all their regular duties for the CAP, including that, "During the election, the exterior of the voting and counting equipment and every part of the polling place [i.e. the CAP] shall be in plain view of the Officers of Election" for the CAP. [§24.2-638](#).

16.4 How to Establish a CAP (24.2-712)

The Electoral Board should take the following steps to establish a CAP:

- Determine that the CAP is needed and for which elections.
- Consider requesting ordinance language that allows the Electoral Board discretion to determine the CAP should not be used for a particular election.
- Find a suitable location for the CAP and ensure that it will be available whenever needed.
- Determine the projected cost of operating the CAP per election.
- Request that the local governing body of the county or city enact an ordinance establishing the CAP.
- Provide to the local governing body the location of the recommended site and the funding required.
 - The ordinance enacted should state the elections for which the CAP is established and authorize the electoral board to determine not to use the CAP for a particular election.

- In the absence of this designation in the ordinance, the CAP would be required in all elections.
- ① The local governing body must give such public notice as is required prior to the adoption of this ordinance just as for any other ordinance.
- Forward a copy of the final adopted ordinance to the SBE immediately after enactment.
- Additionally, ensure that the ordinance is submitted immediately by the county or city attorney to the United States Department of Justice (DOJ) for preclearance pursuant to the Federal Voting Rights Act
 - This is not required for a county or city that has been bailed out.
 - The CAP may be implemented when a response interposing no objection is received.
 - Forward a copy of the letter from the DOJ interposing no objection to the CAP to the SBE immediately upon receipt.
- Finally, submit to the SBE a completed *New Precinct form* ([SBE-15](#)) from the Forms Warehouse.
- Notify SBE if the CAP will not be used as soon as possible before the election.

16.5 Staffing the CAP and Hours to be Observed (24.2-712)

Generally, Officers appointed to the CAP must report on Election Day not later than 5:15 am and must remain until the results have been finally ascertained. **At least three Officers of Election must be appointed for the CAP.** Additional Officers may be appointed by the Electoral Board as needed.

- The board may adopt a resolution delaying the opening of the CAP until "after 6:00 a.m. and at any time before noon" if it is located in the same building as the Registrar's office.
 - The office of the General Registrar must be available to provide any service to walk-in absentee voters that would otherwise be available to them at the CAP.
 - Ballots or other documents brought to the Registrar's office before the CAP opens must be delivered by the Board to the CAP.

Section [24.2-712](#) of the *Code* provides localities with some flexibility in staffing the CAP.

- The Chief and Assistant Chief must be present all day; **other Officers may work split shifts.**
- Additional Officers may be required to adequately perform all the duties.
 - Officers will be required to work in teams to cast and count the ballots.
 - The Chief Officer should be free to organize the work of all and assure that each team follows proper procedures.
- The total number of Officers needed is determined by the number of absentee ballots to be handled and/or the number of differing ballot styles.
 - The number of absentee voters in previous, similar elections can help determine the number of Officers needed for a given election. These statistics are available in the [election results](#) by precinct provided by SBE; they should also be on file in the office of the General Registrar.

- **A given team of Officers may process only the paper ballots of one election district at a time.** Given a sufficient number of different paper ballot styles, additional teams of Officers may be needed.
- If all of the voters in the county or city do not vote in the same Congressional or State Senate or House of Delegates district, multiple ballot styles may be used.
- The number of email ballots and other hand-counted ballots for a given election will impact the number of Officers needed.
- The number of ballots processed in a locality that uses paper ballots for absentee voting will be influenced by the number of ballots that make up the ballot set given each absentee voter.


16.6 Training Officers of Election

The Officers of Election appointed to serve in a CAP must be trained specifically for their duties in the CAP, as required by the *Code* for all Officers of Election.

16.7 Officers to Vote Absentee

The Officers of Election appointed to serve in a CAP must vote by absentee ballot, as they are not permitted to leave the CAP on Election Day for any purpose, unless they are designated to work a split shift, an option that is not available to Chief and Assistant Chief(s).

They may apply and vote by-mail or in-person, but must observe the same deadlines for doing so as all other absentee voters.

-  An Officer of Election who is assigned to serve in a precinct other than the Officer's precinct of residence after noon on the Saturday before the election may apply for and vote absentee in-person before 2:00 pm on the day before the election at the office of the General Registrar in the county or city in which he lives.

16.8 CAP Polling Place Arrangement

Officers of Election should arrange the necessary furniture, equipment and materials in the room in which the CAP is located upon the arrival of all the Officers. (To save time on Election Day, if access is available to the CAP room the afternoon before the election, the Officers may arrange their tables and chairs and post their signs. They should not set up the voting machines.)

- Tables on which to organize the ballots for each precinct, both before and after processing
- Tables on which to organize lists of absentee ballot applicants, pollbooks and *Statements of Results* forms, both before and after processing
 - Separate paper pollbooks are required for each election district.
 - Adjust setup accordingly if EPBs are used.
- Tables on which to organize oaths, packing envelopes and other paper work.

- A table with privacy for any voter who appears seeking to vote in-person on Election Day.
- A table for the Chief Officer
- Tables and chairs for each team of Officers
- Tables for food
- Tables for voting machines unless the equipment has legs.
- Containers for processing ballots and envelopes on each team's table.
- Separate ballot containers for each election district.
- Extra chairs as needed
- Power cords and surge protector sufficient to operate the equipment
- Since most of these activities are sequential rather than simultaneous, the same furniture can be utilized for several of the various functions.

On Election Day, the Electoral Board should immediately deliver to the Officers all applicant lists and voted ballots; the voted ballots should be securely transported in covered, sealed containers; they should be sealed up in their unopened marked ballot envelope **B**; that sealed envelope **B** should be inside the voter's opened return envelope. If necessary, a brief review should be conducted of the procedures to be followed and the materials to be handled. The General Registrar may participate in this review provided one or more Assistant Registrars cover the Registrar's office. Generally, however, the Chief Officer should know the responsibilities, duties and requirements for the CAP so he would conduct the review.

16.9 Use of Voting Equipment for In-Person Absentee Voting

We previously stated that a CAP only exists on Election Day. Prior to that time, in-person and by-mail absentee voting is conducted in the office of the General Registrar. Because absentee voting is so closely related to the CAP, we provide the following information to help Electoral Boards and Registrars.

An Electoral Board may choose to allow for the casting of ballots for in-person absentee voters prior to Election Day on voting equipment if a CAP is used for that election. A person who votes using either a DRE or by inserting a voted ballot into the counter for optical scan equipment has cast his/her ballot prior to Election Day pursuant to [§ 24.2-707](#). The following guidelines are to be followed for in-person absentee voting:

- In-person absentee voting must be available 45 days prior to primary and general elections. The exception to this legal requirement would be for a special election when the ballots must be available as soon as possible. Note: In-person absentee voting begins before the close of registration for that election.
- Any voting equipment used for in-person absentee voting for this purpose must be programmed and tested in the same manner as voting equipment used on Election Day. See, GREBook 20; see also, [§§ 24.2-632](#) to [24.2-634](#).
- When entering the absentee application into VERIS, you must select that the application
 - “**Application Received By**” method is “**In-person,**”

- “Ballot Sent By” is “In-person,”
- “Ballot Received By” method is “In-person,”
- “Ballot Status” is “On Machine.”

① This will capture the information that the voter has cast his/her ballot on voting equipment prior to election day. It will prevent the voter from voting again either by absentee ballot or in-person on election day and also prevent a voter who transfers his/her registration from voting again in the new locality.

- **A DRE or other accessible machine is specifically required for in-person absentee voting.** (This is because the CAP and, therefore, in-person absentee voting in the Registrar’s Office, is officially a polling place and [§24.2-626.1](#) requires one accessible piece of voting equipment at each polling place).
 - When using a DRE or other accessible equipment, your Electoral Board should set policies concerning its use based upon factors specific to your locality. This would include factors such as:
 - whether DREs are the sole voting equipment in use at your normal precincts and thus what voters are familiar with using;
 - whether the DRE will be used primarily by persons with a disability or who would otherwise need assistance in voting; and
 - Whether voters have a choice of which type of equipment they use
- It is essential that you encourage a sufficient number of voters to use the DRE to guarantee the secrecy of any one voter’s vote. You must ensure that if primarily persons with a disability (or who would otherwise need assistance) use the DRE, that multiple voters vote on the equipment.
 - Note that [§24.2-649](#) provides (in part): "Any qualified voter, who requires assistance to vote by reason of physical disability or inability to read or write, may, if he so requests, be assisted in voting." It also requires: "In any precinct in which an electronic voting device is available that provides an audio ballot, the Officers of Election shall notify a voter requiring assistance pursuant to this subsection that such equipment is available for him to use to vote in privacy without assistance and the Officers of Election shall instruct the voter on the use of the voting equipment. Nothing in this subsection shall be construed to require a voter to use the equipment unassisted."
- **At least two Officers of Election, one representing each political party, must be present** if in-person absentee voting on voting equipment is taking place at any location other than a Registrar’s or Secretary of the Electoral Board’s office. If the in-person absentee voting on voting equipment is completed at the Registrar’s or Secretary of the Electoral Board’s office, no Officers of Election are required, but a Registrar, Assistant Registrar or the Secretary of the Electoral Board must be present.

For specific instructions on using VERIS for in-person absentee voters, see the VERIS Step-by-Step instructions for absentee voting located on the VERIS home page.

16.9.1 Before Election Day

Processing before Election Day:

- Open the return envelopes to see if the voter has returned his/her unused ballot still in Envelope A or if the voted ballot is sealed in Envelope B.
- All returned ballots MUST be entered in VERIS before the Final Absentee Report is printed
- Keep your by-mail returned ballots in order by ballot style or election district, then precinct, then alphabetical
 - This is the order in which they will print on the Final Absentee Ballot Report which is the pollbook for CAP

Prepare materials for the CAP just as you would for any other precinct. The election Officers will need:

- Statement of Results
- General supplies such as pens, pencils, scissors, rubber bands, scotch tape, letter openers, scratch pads, staplers, rulers, clip boards, calculator, etc
- White labels to seal the envelopes
- Envelopes for the return of election materials
- All the required signs to be posted as for any precinct
- Pollbook count forms for each ballot style
- Final Absentee Ballot Report (Pollbook for CAP)
- Strapping tape
- Mail trays, boxes or containers to deposit the ballots into while they wait to be counted or scanned

Pollbook:

- Print the Final Absentee Report
- The Secretary of the Electoral Board needs to sign each page of the pollbook
- Print the Final Absentee **Totals** Report to go with the CAP Pollbook on Election Day
- Print the Pollbook on Saturday night or Sunday morning to go with other precinct supply pick-ups
- You may print the CAP Pollbook after emergency voting ends on Monday, after the mail has been received and after the returned ballots have been processed in VERIS.

16.9.2 Processing Permitted on Election Day:

- Voters may be entered on the Pollbook (using the Final Absentee Report or on the EPB).
- Process ballot, review Envelope B and place into ballot containers or feed through tabulators.

Ballot containers may *NOT* be opened, and ballots may *NOT* be counted until after the polls close. *NO* results may be obtained from electronic machines or optical scan tabulators until after the polls close.

- If any voter enters the CAP while the polls are open, the Officers should take care to preserve the privacy and security of any absentee materials they are working on at that time.
- As a polling place, the CAP is subject to the same requirements and restrictions regarding the presence of authorized representatives as any other polling place. [§ 24.2-604\(C\)](#).

16.10 Opening the CAP

16.10.1 Ballot Delivery on Election Day

- The Electoral Board must deliver all absentee ballot containers of returned ballots to the CAP Officers.
- The Chief Officer of CAP must sign the receipt for the ballots he/she is accepting from the Electoral Board.

16.10.2 Election Day Set Up

- Welcome authorized representatives
- Chief Election Officer must administer the Officer of Election Oath for all the other Officers and they sign. The Chief signs at the bottom and completes the information below the signature line
- Chief will establish and name (A, B, C, etc.) the teams to process ballots
- Set out election supplies
- Set out ballot boxes
- Set up voting equipment
- Post required signs and posters
- Fill in the number of paper ballots delivered to the CAP on the Statement of Results
- Open the polls at 6:00 am

16.10.3 Teams for Processing Ballots

Teams of Officers work together to process paper ballots. Each team consists of three Officers and is named (Team A, Team B, Team C, etc.) by the Chief.

Materials Needed for Each Team

Station One Check-In Officer	Station Two Pollbook Officer	Station Three Ballot Officer
CAP Pollbook (Final AB Report)	Pollbook Count Form for each ballot style	Letter opener and stapler
Ballots in return envelopes	Black or blue pen	Ballot Box – one per ballot style
Black or blue pen	Rejected Ballot Count form	Container for empty envelopes of accepted ballots-one per ballot style
Ruler	Unused Ballot Count form	Container to hold Rejected ballots-may be in the position of the Chief
Provisional ballot log and Envelope 1	Ruler	Container to hold Unused ballots
Rejected ballot log – this may be handled by the Chief and separate team		Container to hold hand count ballots

16.11 During the Day

THE STATION DUTIES LISTED BELOW ARE SUGGESTED BEST PRACTICES
Localities may rearrange the duties to suit your specific needs.

*All Officers should read Accepting and Rejecting Ballots (Addendum 2)
prior to beginning their duties.*

Station One Check-In Officer Duties

- Beginning with the first return envelope, find the voter's name and precinct on the envelope.
- Locate the voter's name on the Pollbook. Read the voter's name and address out loud and confirm that the name on the top left corner of the return envelope agrees with the name listed on the Pollbook.
- Remove Envelope B from the return envelope but **DO NOT OPEN ENVELOPE B**
- Along with Station 2 and 3, review the Statement of Voter on Envelope B and determine if the ballot is acceptable. **Important: Do Not Mark** the Pollbook or mark off a number on the Pollbook Count Form prior to the ballot being accepted.
- If the ballot is **accepted**, write the Pollbook Count Number assigned by Station 2 in the "Vote Rec" column to the left of the voter's name.
- Pass the accepted ballot return envelope with the unopened Envelope B to Station 2
- Repeat process until all ballots for a precinct have been accepted or rejected. Inform Station 2 and 3 when a precinct is completed.
- **If a ballot is to be rejected**, place it in a separate container to be reviewed with the Chief Officer. The Chief and a majority of the Officers must agree on the reason for the ballot being rejected. Follow the instructions in Addendum 2, Accepting or Rejecting Ballots or as set forth by your Electoral Board.
- **If a ballot is returned unused**, write the Unused Pollbook Count Number assigned by Station 2 in the "Vote Rec" column of the Pollbook (ex: UNUSED – 3)
- **If a HAVA voter who is required to send ID with his/her ballot has not done so, place the ballot in Envelope 1 for provisional ballots. Record on the provisional ballot log.**

Station Two Pollbook Officer Duties

- **Important: Do Not Mark off** a number prior to the ballot being accepted.
 - For **Unused** ballots, numbers should be assigned from the Unused Ballots Count Sheet
- Along with Station 1 and 3, review the Statement of Voter on Envelope B and determine if the ballot is acceptable. Once the ballot has been determined to be accepted, mark off the next consecutive number from the Pollbook Count Form (PBC).
- Read the number aloud and confirm that Station 1 has recorded the number in the “Vote Rec” column to the left of the voter’s name on the Pollbook.
- Write the PBC number in the lower left hand corner of the return envelope for all accepted and unused ballots.
- Pass the accepted and unused return envelopes, along with the unopened Envelope A or B, to Station 3

Station Three Ballot Officer Duties

- After review of the Statement of Voter on Envelope B and the ballot has been determined as acceptable and Station 2 has assigned a PBC number, you will receive voter’s return envelope with the accepted Envelope B.
- **For Accepted Ballots** carefully open Envelope B without slitting the ballot. Remove the ballot and place in a pile face down in the same direction. **Do not examine the ballot except to determine that only one ballot is being cast.**
- Reinsert the empty Envelope B into the Return Envelope and place in the container for empty envelopes for accepted ballots for that precinct or election district.
- Band together the empty Return Envelopes from processed ballots for each precinct or district and label them with the precinct or district number.
- **For Unused Ballots** place the return envelope with unopened Envelope A into a separate container.
- Place Email Ballots in the container for “Ballots to be Hand Counted.” See Addendum 3 for Hand Counting procedures.

Feeding the Ballot through Scanner or Tabulator

- Collect ballots to be scanned or tabulated from each team as available
- Process the ballot through the scanner or tabulator according to the equipment manufacturer instructions
- Follow the procedures set forth by your Electoral Board for ballots rejected by the scanner

Continue this process until all ballots from precincts or election districts have been counted or rejected.

16.12 Closing the Polls at CAP

16.12.1 Closing Procedures

- At 6:45 pm go outside and announce in a loud voice that the polls close in 15 minutes.
- At 7:00 pm go outside and announce in a loud voice that the polls are closed.
- Invite the party representatives to come inside.
- Make sure party representatives understand that they cannot leave until **ALL** results are completed and results are called in or transmitted to the Registrar's Office.

16.12.2 Hand Count Ballots

- Begin processing hand counted ballots under the direction of the Chief by tallying the votes for each office separately and verifying each other's work.
- Follow the instructions for Hand Counting Ballots.

16.12.3 Pollbook Count Forms

- Certify the Pollbook Count Form, the Unused Ballot Count Form and the Rejected Ballot Count Form
 - The Pollbook Count Form should agree with the number of ballots counted and the last number used in the Pollbook.
 - Count the number of rejected ballots and confirm with the Officer at Station Two that the last number marked off the Rejected Ballots Count Form agrees with the total number of rejected ballots.
 - Count the number of unused ballots and confirm with the Officer at Station Two that the last number marked off the Unused Ballots Count Form agrees with the total number of unused ballots.
- Note any discrepancies on the Statement of Results.
- The last Officer to mark off numbers on the Pollbook Count Form **enters the last number used in the space provided and signs the form.**

16.12.4 Provisional Ballots

- Count Provisional Ballots and be sure that the same number of provisional ballots is listed on the Provisional Ballot Log.
- DO NOT OPEN Provisional Ballot envelopes.
- Count the provisional ballot envelopes and place them in Envelope 1A.
- Attach provisional ballot log to the outside of Envelope 1A.

- Certify and seal the provisional ballots in Envelope 1A.

16.12.5 Ascertain Equipment Results

- Enter the Public Count Number for each machine on the Statement of Results.
- Obtain the equipment vote totals according to the equipment manufacturer instructions.

16.12.6 Statement of Results (SOR)

At least two individuals representing different parties will complete two different copies of the SOR independently. Compare the results after the SOR is completed.

- Follow the instructions on the Statement of Results for all sections.
- Record the equipment results on the Statement of Results.
- Record the hand count ballots on the Statement of Results.
- Be sure the number of write-in votes is recorded on the Statement of Results.
- After all the sections of the Statement of Results are completed, **ALL** Officers must sign.
- Attach a set of the results tapes to each copy of the SOR and also to the Yellow Printed Return Sheet. This latter document must be delivered to the Clerk of the Circuit Court by noon on the day after the election.

16.12.7 Packing Envelopes and Boxes

- Not all envelopes may be used in all jurisdictions

PACKING ENVELOPES AND BOXES		
ENVELOPE NUMBER	CONTENTS	SEALING & SIGNING REQUIREMENTS
<input type="checkbox"/> ENVELOPE #1A (ELECTORAL BOARD)	<ul style="list-style-type: none"> • PROVISIONAL BALLOT(S) [SEALED GREEN ENVELOPE(S)] 	<u>CERTIFICATION OF OFFICERS</u> <ul style="list-style-type: none"> • ENTER NUMBER OF ENVELOPES ENCLOSED • SIGN CERTIFICATION (TWO OFFICERS)
<input type="checkbox"/> ENVELOPE 1B ONLY IF INSTRUCTED	<ul style="list-style-type: none"> • PROVISIONAL BALLOT(S) CAST AFTER HOURS BY COURT ORDER EXTENDING TIME 	<ul style="list-style-type: none"> • SEAL WITH LABEL • SIGN & DATE LABEL (TWO OFFICERS)
<input type="checkbox"/> ENVELOPE #2	<ul style="list-style-type: none"> • OATH OF OFFICER FORM • POLLBOOKS / POLLBOOK COUNT FORMS • STATEMENT OF RESULTS (TWO IDENTICAL COPIES) • WRITE-INS CERTIFICATION (TWO IDENTICAL COPIES) • INCIDENT REPORT (IF USED) • BALLOT RECORD REPORT (IF USED) • BALLOT TRACKING & COUNT SHEETS • ALL BALLOT WORKSHEETS AND TALLY SHEETS 	<ul style="list-style-type: none"> • SEAL WITH LABEL • SIGN & DATE LABEL (TWO OFFICERS)
<input type="checkbox"/> ENVELOPE #2A	<ul style="list-style-type: none"> • YELLOW PRINTED RETURN SHEET 	<ul style="list-style-type: none"> • SEAL WITH LABEL • SIGN & DATE LABEL (TWO OFFICERS)

<input type="checkbox"/> ENVELOPE/BOX #3	<ul style="list-style-type: none"> COUNTED BALLOTS COUNTED BALLOTS WITH WRITE INS (KEEP SEPARATED) 	<ul style="list-style-type: none"> CONFIRM PRECINCT NAME/NUMBER AND DATE ON FORM SEAL BOX WITH THREE LABELS SIGN & DATE LABELS (ALL OFFICERS)
<input type="checkbox"/> ENVELOPE #4	<ul style="list-style-type: none"> SPOILED BALLOTS VOID BALLOTS 	<ul style="list-style-type: none"> SEAL WITH LABEL SIGN & DATE LABEL (TWO OFFICERS)
<input type="checkbox"/> ENVELOPE/BOX #5	<ul style="list-style-type: none"> EMPTY ENVELOPE B AND EMPTY RETURN ENVELOPES RETURNED INSTRUCTIONS/BALLOT GUIDES REJECTED/UNOPENED ABSENTEE BALLOTS ABSENTEE BALLOTS RETURNED UNUSED 	<ul style="list-style-type: none"> SEAL WITH LABEL SIGN & DATE LABEL (TWO OFFICERS)
<input type="checkbox"/> ENVELOPE/BOX #6	<ul style="list-style-type: none"> PAPER BALLOTS NOT ISSUED 	<ul style="list-style-type: none"> SEAL WITH LABEL SIGN & DATE LABEL (TWO OFFICERS)
<input type="checkbox"/> ENVELOPE #7B	<ul style="list-style-type: none"> OPTICAL SCANNER KEY DRE KEY 	<ul style="list-style-type: none"> SEAL WITH LABEL SIGN & DATE LABEL (TWO OFFICERS)
<input type="checkbox"/> ENVELOPE #7C	<ul style="list-style-type: none"> OPTICAL SCANNER MEMORY CARD DRE MEMORY CARD DRE CARTRIDGES 	<ul style="list-style-type: none"> SEAL WITH LABEL SIGN AND DATE LABEL (TWO OFFICERS)
<input type="checkbox"/> ENVELOPE #8	<ul style="list-style-type: none"> USED VOTER REGISTRATION APPLICATIONS USED AFFIRMATION OF IDENTITY FORMS USED AFFIRMATION OF ELIGIBILITY FORMS USED REQUEST FOR ASSISTANCE FORMS CORRESPONDENCE OR NOTES 	<ul style="list-style-type: none"> NO SEAL REQUIRED
<input type="checkbox"/> ENVELOPE #9	<ul style="list-style-type: none"> VIRGINIA ELECTION LAWS 	<ul style="list-style-type: none"> NO SEAL REQUIRED
<input type="checkbox"/> ENVELOPE #10	<ul style="list-style-type: none"> OFFICER OF ELECTION NAME BADGES 	<ul style="list-style-type: none"> NO SEAL REQUIRED
<input type="checkbox"/> ENVELOPE #11 HAND DELIVER TO GR	<ul style="list-style-type: none"> OPTICAL SCANNER RESULTS TAPE #4 DRE RESULTS TAPE #4 	<ul style="list-style-type: none"> SEAL WITH LABEL SIGN AND DATE LABEL (TWO OFFICERS)
<input type="checkbox"/> ENVELOPE #12	<ul style="list-style-type: none"> DUPLICATES AND NAME MISTAKES LIST NOTIFICATION OF DEATH OF VOTER 	<ul style="list-style-type: none"> SEAL WITH LABEL SIGN AND DATE LABEL (TWO OFFICERS)
<input type="checkbox"/> ENVELOPE #14	<ul style="list-style-type: none"> DRE SUPERVISOR CARD DRE VOTER ACCESS CARDS DRE VOTER ACCESS CARD ENCODERS ELECTION MACHINE WORKSHEET 	<ul style="list-style-type: none"> SEAL WITH LABEL SIGN AND DATE LABEL (TWO OFFICERS)

16.13 Addendum 1 - Planning Before Election Day Checklist

- All absentee voting by-mail is done on paper.
- In-person absentee voting can be done on either paper or, if the electoral board authorizes, on the voting equipment used by the locality.
- How many paper or cardstock ballots of each style will you need for absentee voting by-mail?
- How many paper ballots will you need for the regular precincts, emergency voting and outside the polls?
- Who will print your ballots? And how long will the printing take?
- Paper and machine ballot proofs must be approved by SBE.
- Electoral Boards must send SBE copies of each approved ballot style.
- There must be enough ballots delivered to the General Registrar and/or Electoral Board Secretary by the deadline to start absentee voting
 - 45 days before any election (24.2-612)
 - In the case of a nonfederal special election, as soon after the deadline as possible
 - Ballots for Governor, Lieutenant Governor and Attorney General must be available for UOCAVA voters (if requested) 90 days in advance of the November general election (“early ballot”)
- Who is going to supply your .pdf ballot file for email voting?
- How many pieces of equipment do you need for absentee voting?
 - When will you program the voting machines for your locality and will it be in time for absentee voting? If not, equipment for absentee voting must be ready by the deadlines mentioned above.
- How will you track in-person voters who vote on the machines?
- Who will conduct absentee voting prior to Election Day?
 - In-person
 - By-mail
 - Email voting
- Where will the absentee voting be conducted?
 - Two Election Officers must be present for in-person voting if voting is not in the General Registrar’s office. Satellite locations must be precleared unless bailed out.
- Electoral Boards may authorize alternative procedures to prepare absentee ballots for counting prior to election day (24.2-709.1)
 - **For details on Alternative Procedures for Preparing Absentee Ballots, see Addendum 4. No counting may take place before election day.**
- Who will deliver the absentee ballot containers to the CAP Officers?
 - Prepare the receipt which the Chief Officer must sign for the ballots he/she is accepting from the Electoral Board.

16.14 Addendum 2 - Accepting or Rejecting Ballots – Va. Code §§ 24.2-704, 24.2-706, 24.2-707, 1VAC20-70-20

REJECT the Absentee Ballot if:

- The voter did not provide his/her full name – See “Do Not Reject” below
- The voter did not provide his/her last name
- The voter has a middle name, but did not provide at least an initial
- The voter omitted his/her house number, street name or rural route address
- The voter did not provide either city or zip code
- The voter did not sign Envelope B
- The date on which the voter signed Envelope B is omitted
- The voter’s witness did not sign Envelope B
- The ballot is not sealed in Envelope B
- The FWAB voter is not registered and did not make the registration deadline
- Voter is no longer registered to vote
- Voter has been convicted of a felony
- The voter has been judged mentally incapacitated
- The voter did not return his/her Assistance Form, as required

DO NOT Reject the Absentee Ballot if:

- The voter included his/her full name in an order other than “last, first, middle”
- The voter used his/her first initial instead of his first full name so long as the voter provided his/her full middle name
- The voter used a nickname for his first or middle name (e.g., “Bob” instead of “Robert”)
- The generational suffix is missing (e.g., Sr., Jr., III)
- The street identifier is missing (Street, Drive, Lane, Road, etc.)
- The zip code is missing as long as the city is provided
- The city is missing as long as the zip code is provided
- The year in the date on which Envelope B was signed is omitted
- An incorrect date on which Envelope B was signed

Whether an error or omission on an Envelope B not specifically addressed above is material and shall render the absentee ballot invalid shall be determined by a majority of the Officers of Election present
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Additionally:

- For the purposes of accepting or rejecting ballots, “city” may include the voter’s locality, town, or any acceptable mailing name for the five-digit zip code of his/her residence.
- Illegibility of the voter’s or witness’s signature on Envelope B shall not be an error or omission.
- **HAVA requires** voters who register to vote by-mail on or after January 1, 2004, to show **specific ID** when they vote the first time in a Federal Election. If the ID is not provided by the voter, the ballot must be set aside as a provisional ballot and sent to the Electoral

Board that will not be able to count the ballot unless qualified ID is provided by the Friday noon deadline.

- **Note: Virginia** has a separate vote in person requirement that disqualifies some new mail registrants from voting absentee by mail. For example, students are exempt from the vote in-person requirement but they are **NOT** exempt from the requirement to verify ID.
- **Federal law** provides limited **exemptions** to HAVA ID requirements for federal elections; state ID requirements must still be met (UOCAVA voters, a handicapped or elderly voter when the Secretary determines no accessible polling place is available and voters moving outside Virginia eligible to request ballots for President and Vice-President only)
- Legislation enacted by the 2011 Virginia legislature requires counting the ballots of any otherwise qualified absentee voter who dies after casting his ballot that is returned before Election Day. [§ 24.2-709(C)]. *Disqualification for other reason, such as felony conviction, requires excluding the ballot from those to be counted, if possible.*

When a Ballot is Rejected

- Keep the returned envelope and the unopened Envelope B together for each rejected ballot.
- Mark off the next consecutive number on the Rejected Ballot Count Form.
- Enter the marked off number (REJ-4) in the “Vote Rec” column of the Pollbook opposite the voter’s name.
- Record the REJ # and the reason for rejection on Envelope B. The Chief and two Officers must sign this statement.
- Complete the Rejected Ballot Log as each Rejected Ballot is processed. Record the voter’s name and Virginia resident address and a detailed explanation of why the ballot was rejected. **For rejected UOCAVA voters, list the current military or overseas mailing address.**
- **Copy** the Return envelope and Envelope B for each rejected ballot and give to the Registrar along with a copy of the Rejected Ballot Log.
- **Within 90 days of the election, the Registrar or Electoral Board must send a letter to each voter whose ballot was rejected, explaining why the ballot was rejected.**

16.15 Addendum 3 – Hand Counting Ballots

Any ballots that cannot be counted by your voting equipment counting device and are valid ballots to be counted must be counted by hand. Hand counted ballots include:

- Curbside voter's ballots
- Email voter's ballots
- Federal Write-In Absentee Ballots (FWABs)
- Ballots that were rejected by the voting equipment counter

Hand Counting Teams

- Hand counted ballots are handled by teams of three Officers as follows:

Tally Sheet Officer One

- Record the votes cast for each candidate and write-in as announced by Station Three

Tally Sheet Officer Two

- Record the votes cast for each candidate and write-in as announced by Station Three

Reporting Officer Three

- Read out loud, in a clear voice, one complete ballot at a time, all the candidates and Write-Ins receiving a vote on each ballot for each office

A **fourth Officer** should also be viewing and verifying votes as read

Hand Counting Process

- Both "Tally Sheet Officers" will simultaneously record a tic mark on the tally sheet for each candidate or write-in as read aloud.
- Each time a candidate receives the 5th vote, the two "Tally Sheet Officers" will simultaneously speak out loud the word "Tally." This indicates that the counts agree. If the counts do not agree, STOP and RECOUNT until the error is found.
- Each time the "Tally" agrees, set the ballots aside to indicate they have been reconciled.
- Begin the process again with next ballots until you reach "Tally" and they have been reconciled.
- Set aside all "questionable ballots" as the ballots are read aloud.
- Continue counting until all ballots have been completed or set aside for review.

Questionable Ballots

- Examine each questionable ballot to determine which are valid and which are void
- Tally the valid ballots
- When a ballot is not marked according to the instruction and the voter's intent is questionable, the team members should consult with the Chief Officer. Using the SBE guidelines, the Chief and the Officers must agree whether the voter's intention can be determined.
- If "yes," place a tic mark for the selected candidate.
- If "no," process as any other void ballot.

Write-In Votes on Paper Ballots

Election Officers must record and count the write-in names **as they are written by the voter**. The Officers are NOT to make any decision as to count or not count similarly spelled names as possibly being the same person. It is the responsibility of the Electoral Board to make that decision.

- Write in the name of each person who received a write-in vote on the Write-In Certification sheet of the Statement of Results and place a tic mark in the vote column
- COUNT all write-in votes with the **exact same spelled name as votes for that same person** by adding the tic mark next to his/her name
- COUNT similarly spelled names (e.g. Pat Brown vs. Patricia Brown) separately. They must be listed as a separate write-in entry on the Write-In Certification sheet of the SOR
- DO NOT COUNT a write-in vote cast with a rubber stamp or sticker
- DO NOT COUNT a write-in vote for any person for any office if that person's name is preprinted on the ballot for that office
- DO NOT COUNT any write-in vote that has **more votes than the number allowed for that particular office**
- DO NOT COUNT if the voter has voted for the same person for the same office more than one time ([24.2-644D](#))

Void Ballots ([24.2-663](#))

There are situations when counting paper ballots that require you to VOID a part of a ballot or VOID the entire ballot.

- If a ballot is found to have been voted for a greater number of names for **any one office** than the number of persons required to fill that office, void all votes on the ballot for that particular office ONLY
 - Write VOID on the front of the ballot over the office section being voided.
 - Write a statement on the back of the ballot stating why the office was voided.
 - Place this ballot with all other ballots to be counted.
 - Count only the remaining office(s) that are valid.

Sample Statement: "The office of Mayor section of this ballot was voided because the voter voted for more than one candidate."

- If you find a ballot which has been over voted for **all offices**, you must void the entire ballot
 - Write VOID on the front of the ballot over each office section.
 - Write a statement on the back of the ballot stating why the ballot was voided.
 - Place the voided ballot in Envelope 4.

Sample Statement: "This entire ballot was voided because the voter over voted in each office listed on the ballot."

16.16 Addendum 4 – Alternative Procedures for Preparing AB Ballots

ABSENTEE BALLOT PRE-ELECTION PROCESSING

Pre-processing absentee ballots is an extension of the CAP that occurs prior to Election Day. All ballots that are pre-processed go to the CAP on Election Day.

THE FOLLOWING INFORMATION IS PROVIDED TO ASSIST ELECTORAL BOARDS AND REGISTRARS AS THEY SEE FIT

**The authority for pre-election processing of absentee ballots is found
in the *Code of Virginia*, [§24.2-709.1](#)**

Supplies and Tools Needed

Pre-processing requires the supplies and tools needed for any Election Day CAP.

Forms

- Final Absentee List, which serves as your Pollbook, run beginning with the earliest date for which absentee ballots could be applied for through the current date
- Pollbook Count Sheets for each precinct
- Pre-Processing Worksheet that you create for your locality
- Pre-Processing Certification Form

Pre-processing Schedule

This processing should begin after the registration books close and after registration transactions are completed, for the most part. Let the volume of absentee ballots returned determine your starting point and later processing days.

Parameters to Consider

- Will you process ballot by precinct, district, ballot style or a combination of all?
- How many precincts or districts will you process in any given sitting?

Expedited Processing Team

- Each team will be composed of three Election Officers (EOs), one from each major political party plus another. This meets the *Virginia Code* requirements.
- No write-ins, void or potential provisional ballots may be pre-processed.
- Look for notes on the outside of the return envelope that indicate a problem or issue with a ballot.
- Always date your work.

Action by Registrar's Staff Prior to Expedited Processing

- Date stamp and open absentee ballots received by-mail
- Remove and review the inside envelope
 - Does Envelope B contain a voted ballot?

- Is the Statement of Voter properly completed (no material errors or omissions)?
- Does the return envelope contain unopened Envelope A?
- Enter all returned ballots into VERIS and mark the return envelopes accordingly.
- Proof the Daily Absentee Ballots List to be sure all the ballots were entered.
- Watch carefully for any issue that may require a ballot to be hand-counted or set aside for handling in the CAP on Election Day.

Pre-processing steps

1. Select an Election Precinct or District to process.
2. Gather the absentee ballots for the precinct/district you will be counting.
3. Obtain a daily Pre-Election Absentee Ballot Processing Worksheet (called the "Worksheet") for that precinct/district and fill in the current day's date.
4. Obtain the Pollbook section (called the "Final Absentee List") for the precinct chosen. It may be a single sheet or a number of pages, depending upon how many ABs were requested for that precinct.
5. If the precinct already has a Pollbook Count (PBC) Form, identify the next unused number and begin your processing with that number. If not, obtain a blank PBC form and fill in the precinct number and name and the date of the pre-processing.
6. Count the ballot return envelopes and date the envelopes in the front, lower left-hand corner. Note: There may be ballots already noted that you cannot process. Leave them in the original container for the Election Day CAP.
7. Enter the total number of envelopes on the Worksheet.
 - If not already done, alphabetize return envelopes.
8. Handle one envelope at a time.
9. Read the voter's name out loud. Find voter's name on the Precinct Pollbook.
10. Pull the "B" Envelope from the Returned Envelope. Check the Statement of Voter for completeness.
11. If the voter is found on the AB List, repeat the voter's name and address; assign and cross off a Pollbook Count Form (PBC) number.
12. Write the PBC number in the "Vote Rec" column next to voter's name in the Pollbook.
13. Write the PBC number and initials of one EO below the date in the lower left hand corner on the Return Envelope for that voter.
14. Carefully open Envelope "B," pull out folded ballot; place the still-folded ballot into a ballot container or face down in a stack. Do not look at the vote on ballot; just be certain there is only one ballot.
15. Reinsert the empty Envelope "B" Envelope into the Return Envelope and turn upside down in the stack.
16. Band the empty Return envelopes containing the empty Envelope "B" and place in the "Empty Envelopes" container when finished.
17. Place the PBC Form back where you found the ballots with any ballots you could not process.
18. Complete the Worksheet, clip the precinct Pollbook to the Worksheet and return it to the assigned staff person.

Repeat these steps until processing for the day is complete.

After all envelopes in a precinct/district have been evaluated for that day:

1. Count the number of envelopes in the Empty Envelopes box and verify that the total is what is already entered on the Worksheet(s).
2. Count the number of ballots you processed. This number should match the number of empty envelopes.
3. Band together the Return Envelopes from **processed** ballots by precinct. These will be used to make VERIS entries and will be marked again.

Recording the Daily Processed Ballots Totals

- Record the daily ballot count number as you process ballots for each precinct.
- Total the columns on the Worksheet and transfer them to the Certification Form. Be sure to fill in the rest of the data.
- Both forms must be signed by all the Election Officers conducting the pre-processing for the day.

Pre-Election Processing Ballots on Equipment Counting or Scanning Device

- Follow all Security and Chain-of-Custody procedures for your voting system.
- Record the following security number on the SOR:
 - machine serial number
 - security seal number
 - public count number
- Print and sign the zero tapes.
- Record the following on the Pre-Processing Certification Form:
 - machine serial number
 - security seal number
 - public count number

Using the Counting or Scanning Device for Pre-processed Ballots

- Once all precincts for a session are processed, remove the folded ballots from the Ballot Container. Lay them flat.
- Count the physical number of ballots (not vote totals). Be certain that the total number of ballots is the same as the total number of ballots processed that day, as recorded on the Worksheet.
 - If you are unable to find the reason for a discrepancy in numbers, write an explanation on the Certification Sheet and all Officers sign the explanation. This will also have to be recorded on the Statement of Results.
- Feed the ballots into the scanning/counting device per your voting equipment manufacturer's instructions.
- Record the following information on the Certification Form:
 - Ending public count number
 - Number of rejected ballots
 - Rejected ballot plus the difference between the starting and ending public count numbers should equal the total number of ballots processed for the day.

- All Election Officers sign the Worksheet and Certification Form for each precinct/district in which they participated for the processing.

Write-In Votes on Pre-Processed Ballots

- Write-in votes will be recorded on the SOR on Election Day.
- These ballots must be kept separated from the other write-ins and ballots that would not scan/count because they have already been counted, scanned and assigned a PBC number.
- Use a separate set of Tally Sheets for these ballots.
- Band these ballots together by precinct/election district with a note on top that says “Pre-Processed Ballots with Write-Ins”.
- They must be kept separate from the other ballots counted on Election Day to avoid double counting of ballots.
- They must be securely stored separately from pre-processed counted ballots.

Ballots Rejected by Scanner/Counter

- These ballots have been processed and received a PBC number but have not been scanned to record the votes because there was a problem on the ballot.
- They must be kept separate from the other ballots counted on Election Day to avoid double counting of ballots.
- Band these ballots together by precinct/election district with a note on top that says “Pre-Processed Ballots Rejected by Scanner/Counter”.
- The Election Officers will follow the instructions set forth by your Electoral Board for resolving ballots rejected by the voting machine.

Recording the Processed Ballots in VERIS

After the ballots are processed and tabulated each day, the voters whose ABs have been processed will have to have their status on VERIS changed from “Marked” to “On Machine.” To do this, the envelopes will either be scanned into the computer or the data will be hand-entered.

To hand-enter the data:

- Go to Absentee Search in VERIS
- Enter the voter’s name or ID number listed on the return address label.
- Make sure you have the correct voter
- Make sure the correct election date appears
 - If not, select the correct election from the drop-down box
- **At the Absentee Ballots line** (NOT the AB Application line) click on the pencil.
- Change the Ballot Status from “Marked” to “On Machine” in the drop-down box.
- In the “Status Reason” box type “Processed” and the date of the pre-processing.
- Scroll down and click “Save.”

As each Return Envelope is entered into VERIS to change the status to “On Machine,” mark the Return Envelope with an “OM” (for On Machine) in the lower right corner of the envelope below the pre-processing date.

Band all Return Envelopes together by precinct and set aside for proofing the next day.

Proofread the Daily Absentee Ballots Report

The next day the Daily AB Report must be proofed to be certain that all the ballots that were processed were recorded on VERIS.

- Using the stack(s) of set-aside ballot return envelopes, find each voter on the report to be certain the ballot status has changed from “Marked” to “On Machine.”
- Put a red checkmark (✓) beside the “OM” on the Return Envelope.
- Put a red checkmark (✓) beside the Ballot Status Column on the report that now says “On Machine.”

Place the checked Returned Envelopes in the Returned Envelopes Box

Subsequent processing of a precinct:

- Pull the absentee ballots not previously evaluated (that are not marked in some way to indicate they cannot be pre-processed) for the precinct/district you will process.
- Use a different colored ink pen than the one used for the previous session for marking off PBC numbers.
- Process ballots as previously outlined
- At the end of each session, complete and sign the Worksheet and Certification Forms.

Maintaining Security of the Processed Absentee Ballots

- Keep the tabulated Absentee Ballots in the locked voting equipment counting device. If ballots are only scanned, keep them in a secure storage area.
- If the voting equipment counting device must be emptied before Election Day, place the ballots in a container labeled “Counted Ballots.” Label the container with the pre-processing dates.
- The Election Officers will each sign 3 labels which are to be placed onto the box in such a manner that it will prove if any tampering occurred.